IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION CIVIL ACTION NO.: 1:14-CV-251

KENNETH KAGONYERA

Plaintiff.

v.

BUNCOMBE COUNTY,
BOBBY LEE MEDFORD, individually
and officially, SAMUEL MATTHEW
CONSTANCE, individually and
officially, GEORGE SPRINKLE,
individually and officially, MICHAEL
MURPHY, individually and officially,
and JOHN ELKINS, individually and
officially,

Defendants.

CONSENT ORDER CONCERNING DISCOVERY

Pending before the Court is the Consent Motion Concerning Discovery. Upon a review of the record and the parties' motion, the Court **GRANTS** the motion and enters this Order negotiated and agreed to by Buncombe County, Bobby Medford, Samuel Matthew Constance, George Sprinkle, Michael Murphy, and John Elkins (hereinafter "the Defendants"), by and through their respective undersigned counsel, Kenneth Kagonyera (hereinafter "the Plaintiff"), by and through his undersigned counsel, and Robert Wilcoxson (hereinafter "Wilcoxson"), by and through his undersigned counsel.

- 1. Except as may be otherwise provided by further order of this Court, the above-named parties in this matter and the related matter captioned <u>Wilcoxson v. Buncombe County</u>, 1:13-cv-00224-MR-DSC shall be permitted to rely upon and share discovery materials produced in the two related lawsuits. To the extent that protective orders control the handling of any such materials, all terms and conditions of said orders shall apply to the parties identified herein.
- 2. All parties covered by this order reserve the right to object to disclosure to a requesting party.
- 3. All parties identified herein may seek modification or termination of this order by written motion.

SO ORDERED.

Signed: November 12, 2014

David C. Keesler

United States Magistrate Judge

CONSENTED TO:

/s/ Jacob H. Sussman

Jacob H. Sussman, NCSB # 31821

S. Luke Largess, NCSB # 17486

Noell P. Tin, NCSB # 20603

TIN FULTON WALKER & OWEN, PLLC

301 East Park Avenue

Charlotte, NC 28203

T: 704-338-1220

F: 704-338-1312

E: jsussman@tinfulton.com

E: llargess@tinfulton.com

E: ntin@tinfulton.com

Counsel for Plaintiff Kenneth Kagonyera

/s/ Curtis W. Euler

Curtis W. Euler, NCSB # 22043

BUNCOMBE COUNTY ATTORNEY

200 College Street, Suite 400

Asheville, NC 28801

T: 828-250-4112

F: 828-250-6005

E: Curt.Euler@buncombecounty.org

Counsel for Defendant Buncombe County

/s/ Ervin L. Ball, Jr.

Ervin L. Ball, Jr., NCSB # 185

BALL, BARDEN & CURY, PA

P.O. Box 7157

Asheville, NC 28802

T: 828-252-0682

F: 828-252-6774

eball@ballnclaw.com

Counsel for Defendant George Sprinkle

/s/ Sean Perrin

Sean Perrin, NCSB # 22253

WOMBLE, CARLYLE, SANDRIDGE & RICE

301 S. College Street, Suite 3500

Charlotte, NC 28202

T: 704-331-4992

F: 704-338-7814

E: sperrin@wcsr.com

Counsel for Defendant Bobby Medford, in his Official Capacity

/s/ Patrick Flanagan

Patrick Flanagan, NCSB # 17407

CRANFILL, SUMNER & HARTZOG

2907 Providence Rd, Suite 200

Charlotte, NC 28211

T: 704-940-3419

F: 704-831-5522

E: phf@cshlaw.com

Counsel for Def. Bobby Medford, in his Individual Capacity

/s/ Thomas J. Doughton

Thomas J. Doughton, NCSB # 16611

DOUGHTON RICH BLANCATO

633 West Fourth Street, Suite 150

Winston-Salem, NC 27101

T: 336-725-9416

E: td@drbattorneys.com

Counsel for Defendant Michael Murphy

/s/ Joseph P. McGuire

Joseph P. McGuire, NCSB # 6739

MCGUIRE, WOODS & BISSETTE

48 Patton Building, Drhumor Building

Asheville, NC 28801

T: 828-254-8800

F: 828-252-2438

E: jmcguire@mwbavl.com

Counsel for Defendants Samuel Constance and John Elkins

/s/ David S. Rudolf

David S. Rudolf, NCSB # 8587 Christopher C. Fialko, NCSB # 19010 RUDOLF WIDENHOUSE & FIALKO 225 East Worthington Avenue, Suite 200 Charlotte, NC 28203

T: 704-333-9945

F: 704-335-0224

E: dsrudolf@rwf-law.com

Counsel for Robert Wilcoxson in Case No. 1:13-cv-224